IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3904 OF 2004

Khar Hanuman Nagar Sea Face
Co-op.Hsg.Society Ltd. & Ors. ...Petitioners

Versus

Shri Munna Singh & Ors. ...Respondents

.....

Mr.Mahabaleshwar N.Morje for Petitioners.

Mrs.Leena Nichani for Respondent No.1.

Mr.A.S.Desai for Respondents 3, 4 & 5.

Mr.Sonawane, A.G.P. for Respondents 6, 7 & 11.

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CORAM: A.M.KHANWILKAR, J.

AUGUST 31, 2004.

P.C.

. Heard Counsel appearing for the parties. The parties have agreed to invite order on the following terms without requiring this Court to record reasons therefor, namely;

(1) The order passed by Respondent No.6 under Section 78 on 2nd April 1998 and order passed by Respondent No.11 in Revision Application dated 7th February 2004 are hereby set-aside.

(2) The Respondent No.6 is hereby directed to take steps to conduct the elections of the Managing Committee of the Petitioner No.1 Society by nominating appropriate independent person within two weeks from today, who in turn, shall complete the election process within eight weeks from the date of his appointment.

(3) The Petitioners 2 to 5 - the Managing Committee members of the Petitioner No.1 Society shall continue to act as Managing Committee members of the Society. However, they shall not take any policy and/or major decision regarding the affairs of the society till the new Managing Committee of the Petitioner Society is duly installed in Office. In other words, the present Managing Committee will only continue with the day-to-day activities and incur expenses which are essentially for managing the affairs of the society, which will include

electricity charges, salary of the staff, taxes and any such other outgoings.

. Petition disposed of in the above terms. No order as to costs.

A.M.KHANWILKAR, J.